

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7443 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

K A KHATRI

Versus

STATE OF GUJARAT

Appearance:

None present for Petitioner
MR DA BHAMBHANIA for Respondents No. 1, 2
None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 09/09/97

ORAL JUDGEMENT

1. Arguments commenced in this petition of the respondents' counsel before lunch today. After lunch, Shri Jayesh Barot put appearance for Shri Munshaw and he states that he has no papers, the papers are with Mr. Munshaw who is busy before the Division Bench presided by the Hon'ble Actg. Chief Justice. The only contention of the counsel for the petitioner in this case is to pray

for adjournment of the case, which is declined. Perused the special civil application and considered the arguments advanced by the learned counsel for the respondents No.1 and 2.

2. Only grievance of the petitioner is that the respondents No.3 and 4 have not exercised their option for the State services within four months of their appointment. I find sufficient material on record in reply filed by the respondents that they have exercised their option within time, and as such, this grievance does not survive. Otherwise also, the criteria for exercising option now no more exists as it appears from the Government notification dated 27th September, 1990.

3. The special civil application is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated.

zgs/-